

EXHIBIT 2

ASSATA ACEY

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1 Q. Okay. I'll suggest to you --
2 I'm not giving you legal advice -- that one of
3 the elements of a claim is lost wages.

4 A. Yes, that's the compensatory,
5 yes.

6 Q. And just for what it's worth, I
7 generally understand compensatory damages to
8 be more along the lines of embarrassment, pain
9 and suffering, distress, you know, that kind
10 of thing.

11 A. Oh, I see.

12 Q. You know, not something that
13 can be quantified, you know, by some
14 calculation of numbers.

15 Okay? Do you understand that?

16 A. Yes.

17 Q. So let's talk about wage loss.
18 As of the end of September of
19 2022 --

20 A. Yes.

21 Q. -- at or around the time of the
22 mediation, if that helps fix it for you, you
23 were on disability.

24 Did you continue to receive

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1 short-term disability after September 19th of
2 2022?

3 A. Yes. Well, long-term but
4 disability.

5 Q. All right. And how long did
6 you remain on long-term disability?

7 A. I am on long-term disability.

8 Q. So you continue to receive
9 long-term disability payments?

10 A. Yes.

11 Q. Have you worked at all since
12 the end of September of 2022?

13 A. No.

14 Q. Are you capable of working in
15 your mind?

16 A. Not at this moment, no.

17 Q. How much do you receive in
18 long-term disability payments each month?

19 A. I think it's 3,600. It's like
20 43,000 a year.

21 Q. What were you making roughly a
22 year -- well, in the year that you worked for
23 InductEV?

24 A. Gross?

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1 Q. Yes.

2 A. Okay. So somewhere around
3 76,000.

4 Q. Do you know how much longer,
5 assuming that you qualify for them, how much
6 longer you would be eligible to receive
7 long-term disability benefits? The rest of
8 your life, another two years, another six
9 years, another three months? Something along
10 that, that's what I'm looking for.

11 A. I don't know.

12 Q. And you're not making any claim
13 for back wages in this case, that is wages
14 that you earned prior to your separation from
15 InductEV that you're claiming were not paid to
16 you by InductEV; is that correct?

17 A. Not at this time, no.

18 Q. Well, you last actively --
19 well, I guess, sometime -- you began receiving
20 short-term disability, if I recall, sometime
21 in April of 2022; is that correct?

22 A. May 16th.

23 Q. May 16th. Okay.

24 And prior to that time were you

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1 Q. Well, do you know when that
2 happened roughly?

3 A. Around the time I gave to you,
4 probably like late January between February.
5 It had to be before the meeting with Judy
6 because I was worried that if I had complained
7 about that whatever work he tried to do on a
8 promotion would just never happen.

9 Q. I'm sorry, when you say you
10 were afraid that if you complained about
11 "that," what is that? Not being properly
12 titled and compensated?

13 A. Talking about race or --
14 talking about race or telling her that she had
15 to do something about the racial environment
16 at work.

17 Q. Let's get back to that.
18 What exactly did you tell Judy
19 in this meeting that you're referring to?

20 A. Okay. So I told her that she
21 -- it was a very painful meeting.

22 Q. What did you tell her in the
23 meeting, Ms. Acey?

24 A. I'm trying to get to it.

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1 Q. Well, you can think --

2 A. I'm trying to -- I have to
3 speak it out because if I meditate all you're
4 going to get is just utters and pained faces.

5 But what I'm trying to say is
6 -- when I'm trying to remember that meeting it
7 was painful. And I talked to her about my --
8 she told me about the movie and about how they
9 can't do a movie list for black history month
10 because they didn't do anything for Jewish
11 history month, they don't have anymore -- or
12 Jewish, you know, holidays, things like that,
13 and they don't have a professional available
14 to provide planning, you know, so that every
15 -- so like every group would feel embraced
16 equally.

17 And I believe at some point she
18 gave me the floor to describe why I felt it
19 was so important because of the comments I had
20 made in my e-mail about attracting diverse
21 talent and things like that, and I just went
22 in and I explained to her about my experiences
23 with my coworkers, that I felt like there was
24 general bias.

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1 But I also gave her some
2 examples that I felt were less messy and more
3 objective. So I told her that Jorge had been
4 asking me about what I was doing when I was
5 working in the basement, asking me in the
6 frame of, you know, accounting for my time,
7 and that I had stated, you know, to him that I
8 was uncomfortable and that I didn't want to
9 talk about it in detail, but he was asking me,
10 and he just kept pursuing it as though he felt
11 he was entitled.

12 And I explained to her how I
13 had felt that my coworkers were being
14 hypervigilant of me, the things that I did,
15 how long I spoke, and things like that, and I
16 also went into an example about my coworker,
17 Brian Kenney, who I think like within two
18 weeks before that meeting he had -- there was
19 an incident where he basically asked me to use
20 my key pass to let him into the building, and
21 once I did so to pick up donuts for the team
22 -- that was my errand -- he opened the door
23 for the lady who was delivering the donuts two
24 times -- the lady happened to be white -- and

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1 once I had picked up the donuts and the coffee
2 jugs the best I could 'cause my hands were
3 full he had taken off.

4 Well, this was at the front
5 office, and the place I was going was the
6 basement, so I had to walk down the hill by
7 myself, and I had explained to her how blatant
8 that felt because I had just watched him give
9 attentive support to somebody who was a
10 different race than me.

11 And then his teammate, who he
12 relied on to get access to the building, I
13 explained that to her. I had also explained
14 issues working with him and his complaints
15 about me.

16 Then I think the third issue I
17 talked to her about was recently overhearing
18 one of the newer workers complaining about
19 Julian Jackson basically saying he should get
20 off his lazy A-S-S in reference to his regular
21 work where he would have to open the garage
22 door to receive or take out deliveries and how
23 this person had stated this in front of two
24 other coworkers who were also nonblack. I

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1 believe it was Jorge -- I don't remember the
2 other person -- and how they had both felt
3 uncomfortable and just walked away from him at
4 that point.

5 And I had expressed concern to
6 her that these -- that at least situations
7 like that were more inflammatory and that I
8 felt like if someone was more easily offended
9 they would attempt to sue the company over
10 stuff like that because I wanted her to feel
11 some type of interest in reducing these
12 things.

13 And that's basically what I
14 disclosed. She asked me a bunch of questions,
15 and I answered them. But, yeah.

16 THE VIDEOGRAPHER: Excuse me,
17 Ms. Acey, could you readjust your mic
18 so it's sticking up this way as
19 opposed to in your --

20 - - -

21 (There was a discussion held
22 off the record.)

23 - - -

24 BY MR. SCHAUER:

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1 Q. Let's go -- you gave an
2 example. You said a coworker talking about
3 Julian.

4 Did you actually overhear that
5 comment or did somebody tell you about it?

6 A. I was sitting at my desk and I
7 overheard the comment.

8 Q. And who said it?

9 A. It was this guy named Tom
10 Hornberger.

11 Q. And who were the other
12 coworkers who you say were present when he
13 made that comment that didn't say anything?

14 A. Jorge Ribe. That's R-I-B-E.
15 The "E" has an apostrophe over it. And I
16 don't know who the third person is. I can't
17 remember who the third person is.

18 Q. Brian Kenney, you say that on
19 the morning of the incident you're describing
20 with Brian Kenney he had purchased donuts for
21 the office or the coworkers.

22 Is that what happened?

23 A. No. Joren had ordered donuts
24 in exchange for everyone having to be in the

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1 basement early, and I had volunteered to go to
2 the front to pick them up.

3 Q. And was -- did Brian Kenney,
4 was he bringing them in from the parking lot?
5 I'm trying to understand just what the
6 circumstances were, what was the physical
7 situation you're describing.

8 A. The front is here. The porch
9 is here. The basement is here, downhill. I
10 was coming out. Brian -- and, I'm sorry, it
11 wasn't a card, it was a key. Brian didn't
12 bring his key that day, so he was basically
13 relying on me in that moment to let him in
14 front of the building, 'cause you needed a key
15 to get in the front.

16 So I was going to pick up the
17 donuts and the coffee, and he came with me in
18 exchange for me letting him in, and I guess he
19 left before I did.

20 Q. So tell me about, there was
21 somebody who was bringing -- he held the door
22 for somebody bringing the donuts in, a white
23 woman?

24 A. There was a white woman. She

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1 had a very nice coat and she brought in the
2 donuts.

3 Q. But where did she bring them
4 to?

5 A. She brought them into the front
6 desk. It took her two trips. So he made sure
7 to watch her and see when she needed help and
8 opened the door both times back and forth and
9 asked if she was -- you know, if she was okay,
10 if she needed help with anything really.

11 Q. Okay. And you were standing
12 there while he did that and saw him do it?

13 A. Yes, I did see him do it.

14 Q. Okay. And then what happened?
15 He took - you know, did he take the donuts and
16 leave that space? Or what is it that occurred
17 that you ended up outside the building?

18 A. I recall he just ran. It was a
19 cold day, and he ran from the door, the front.
20 He left. After that woman was good and after
21 she delivered all the things that I was going
22 to have to carry, he ran from the front door,
23 out and down the hill back to the basement,
24 which meant that I had to hold these donuts

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1 and these jugs, that I had my arms full, down
2 the sloped hill, and I wasn't really clear on
3 how to get any doors open because --

4 Q. So you were both -- I take it
5 that there was -- you weren't able to access
6 -- is the basement only accessible from
7 outside?

8 A. Yes. You have to go around.
9 I'm sorry, yes.

10 Q. I'm trying to understand the
11 logistics of this issue on that item that you
12 raised.

13 All right. So you and Brian
14 are in the building on the first floor. You
15 let in a delivery person who has -- a white
16 woman who has donuts and coffee. She leans
17 them on a table near the reception.

18 Do I have that right so far?

19 A. It was Julian's desk.

20 Q. Okay. And then Brian, you say
21 disappeared.

22 I mean, did he -- well, I
23 guess, all you know is after the donuts and
24 the coffee were delivered he wasn't there

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1 anymore.

2 A. I mean, I saw him when I made
3 it into the basement.

4 Q. Did you ask him where did you
5 go, what did you do?

6 A. I knew what he did.

7 Q. Did you ask him, you know, why
8 didn't you help me with the donuts? Why
9 didn't you hang around? You know, what's the
10 story here?

11 A. No. I complained to him. I
12 didn't --

13 Q. I didn't say complain. You
14 know, that's a conclusion.

15 Did you say anything to him
16 after this incident with the donuts?

17 A. Yes.

18 Q. What did you say to Brian?

19 A. I honestly don't remember.

20 Q. Do you have any recollection of
21 what Brian might have said back to what you
22 might have said to him?

23 A. I just know that he left and
24 got his own coffee after that.

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1 Q. Okay. All right.

2 Did you raise this issue with
3 anyone other than Judy in this meeting?

4 A. I told Joren the day that it
5 happened.

6 Q. All right. And did Joren
7 indicate to you that he had addressed it?

8 A. No, not at that time.

9 Q. Did he indicate to you at a
10 later time that he had talked to Brian about
11 this donut delivery incident?

12 A. Yes.

13 Q. And were you satisfied that
14 Joren had addressed the situation based upon
15 what Joren said to you?

16 A. At the time, yes.

17 Q. Well, when you say at the time,
18 what do you mean at the time? In retrospect
19 you decided you shouldn't have been satisfied?

20 A. Joren did his best, and every
21 time he confronted someone I thought that
22 would be the end, and it wasn't, so --

23 Q. Well, is there some other thing
24 that Brian did that you relate to some kind of

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1 racial or gender animus, Brian Kenney?

2 A. When we were both deciding to
3 do modifications for a prototype, metal box
4 thing -- and Maria and Bogdan Proca were the
5 lead engineers. And Brian Kenney, he didn't
6 -- I'm trying not to give you a conclusion.
7 He -- his teamwork was -- it's very hard. I'm
8 going to just have to tell you, and you'll
9 just have to tell me if it's your form or what
10 you need.

11 Q. Sure.

12 A. But basically he was not very
13 friendly. He did not do all of his work. And
14 when the opportunity showed up for him to make
15 himself look good he would become very hostile
16 towards me.

17 At one point he took no notes
18 of what was happening, what was necessary, and
19 he just snatched my notes out of my hand and
20 like stared at me when Bogdan Proca came so
21 that he could present him as though -- just so
22 he would present to him how things were going
23 and what his ideas were.

24 And then when things did not go

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1 his way he shouted at me in front of the front
2 office and stormed out.

3 Q. What was Brian's position?

4 A. He was general technician for
5 the product -- he was general -- or product
6 introduction technician.

7 Q. When did this event occur in
8 front of the staff that you just described?

9 A. That was -- I think it would be
10 between February and April of 2022. I think
11 that that project was also in discovery, yeah.

12 Q. Did you speak with Brian after
13 the incident with the notes and you say
14 yelling at you about what's going on here, you
15 know, what is this behavior you're showing me
16 and demonstrating around?

17 A. Absolutely not. I only --
18 those types of things I only talk to my
19 manager and HR. I don't want to escalate it
20 with him.

21 Q. Okay. Tell me, the incident
22 with Jorge about --

23 A. Jorge.

24 Q. Jorge, sorry. About Jorge

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1 asking you about what you were doing in the
2 basement.

3 A. Yes.

4 Q. What's that about?

5 A. That was weird. I mean, his
6 desk is next to mine. So like we were in the
7 cubicle. Rob's across from me. Tina's behind
8 me. Jorge is diagonal. And he was making
9 comments along the lines of not seeing me at
10 my desk, not seeing me around as often, and
11 what have you been doing.

12 And it didn't -- at the time I
13 did not feel comfortable because it was not
14 the first time I had heard people asking me
15 about what I had been doing or whether I was
16 doing enough work.

17 And so I wasn't comfortable
18 with the topic, and I just said, you know, I'm
19 helping out with this project. And he started
20 asking me, more specifically, what my role was
21 or what I was contributing and why I had to be
22 there.

23 And I just kept trying to
24 indicate to him socially, you know, by trying

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1 to answer his questions without being overly
2 specific and saying that's what I feel
3 comfortable sharing.

4 And he just kept pushing me and
5 being insistent and it gave me the same
6 feeling as -- it made me kind of lump him in
7 with my other coworkers who had been
8 hypervigilant at work.

9 Q. Approximately when did this
10 incident occur with Jorge that you are
11 describing?

12 A. That would have to be between
13 January and February. So most of the stuff
14 that's happening in the basement is around a
15 project that we labeled as VW.

16 So the issues with Brian and
17 the donuts, again, that's the VW project. The
18 questions about Jorge leaving the basement.
19 So all of these are kind of around the same
20 time period.

21 Q. Did you go to Joren regarding
22 the questions that you were being asked by
23 Jorge?

24 A. Yes. Joren knew about it

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1 before Judy did.

2 Q. And did Joren address it to
3 your knowledge -- to your knowledge, did Joren
4 address it?

5 A. Yes, February 18th or so he
6 sent me a message saying that he had spoken to
7 Jorge about it.

8 Q. Did you notice any difference
9 in Jorge's, you know, inquisitiveness of you
10 after that time?

11 A. I mean, a month or two later I
12 overheard him talking to another coworker
13 about willingness to share information and
14 being a team player, and I felt like he was
15 talking about me.

16 Q. Do you know he was talking
17 about you?

18 A. Not without reviewing the
19 evidence in front of me.

20 Q. Well, what evidence would you
21 need for that?

22 A. Well, when it happened, as was
23 my pattern, I told my boss what I was
24 overhearing and where he was and exactly the

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1 words I heard him say. Without those specific
2 words and those details I can't confirm for
3 you whether he was talking about me. I can
4 just tell you what I felt.

5 Q. Let's talk about your
6 compensatory damages.

7 What are you making a claim for
8 as far as what I'll describe as kind of, you
9 know, nonmonetary based damages?

10 And I think, as I described
11 earlier, that would be, you know, what you
12 think you ought to get for pain and suffering
13 or embarrassment or emotional distress that
14 you suffered because of the wrongful behavior
15 toward you by InductEV.

16 A. Okay. So I remember the end of
17 the question, but can you repeat the beginning
18 so I can try to be as succinct as possible?

19 Q. Please describe for me the
20 basis of the claim you're making for
21 compensatory damages, those being damages
22 related to distress, pain and suffering,
23 embarrassment, humiliation as a result of
24 violations of the law by InductEV.

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1 A. Yes.

2 Q. Okay. What was your purpose in
3 writing this e-mail of September 23 at 10:39?
4 Take your time and look at the whole thing if
5 you want to.

6 A. The purpose of the e-mail was
7 in my mind to cut through the games that I
8 felt were being played and to get as soon as
9 possible a tangible contract with all terms
10 and to adjust the amount on that contract
11 commensurate with what I saw as their behavior
12 and my -- I guess my attempt to still try to
13 be fair.

14 Q. Did any of the facts that you
15 cite -- let's refer to page 53 in the lower
16 right-hand corner.

17 A. Okay.

18 Q. You knew all those facts when
19 you were in the mediation on September 19th,
20 didn't you?

21 A. Yeah, I was stating some of
22 them before -- when I was rebutting the May
23 Mon Post.

24 Q. There's nothing in this e-mail

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1 looking at accommodations with my doctors and
2 medication and stuff.

3 Q. And it suggested you were kind
4 of concerned because you had sort of lost
5 track of Joren. Mr. Hackman said, oh, he's
6 been in touch with me.

7 A. Yes.

8 Q. And then starting with, "hope
9 he's just tired or doing family stuff and
10 that's he's okay."

11 My understanding is that's a
12 reference to Joren?

13 A. Yes. I did want to clarify,
14 the mention about a two-week vacation, I think
15 what I was saying is if I came back to the
16 company with a new job I might only be back
17 for a week or two.

18 Q. Thank you. Yes. Okay. Okay.

19 A. But you said that I'm asking
20 about Joren, worried that he's not okay.
21 Yeah, that was about Joren.

22 Q. Yes, that's what I thought.

23 Okay. Then is it your
24 recollection that the mediation occurred -- it

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1 was September 19th, correct?

2 A. I believe so.

3 - - -

4 (Exhibit AA-43 was marked for
5 identification.)

6 - - -

7 BY MR. SCHAUER:

8 Q. I'm going to show you what's
9 been marked as Exhibit AA-43.

10 A. Yes.

11 Q. This is taken -- I was going to
12 say to you, ask if you can confirm, but this
13 is taken again from the messages between you
14 and your grandmother I believe on
15 September 19th of 2022.

16 A. I don't recall if this is the
17 date, but it looks like the message -- this
18 looks like a familiar message. I think this
19 is the screen shot that I sent. I don't know
20 if I sent it to my grandmother on my husband,
21 but -- yeah.

22 Q. And at 3:32 p.m. on
23 September 19th, you're communicating with this
24 guy Greg Casee, who you worked previously,

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1 get through these.

2 A. Yes.

3 Q. This says, "excited utterance"
4 -- paragraph 11 -- "excited utterance from
5 myself to my supervisor about unwanted touch
6 from Mike Russell, who had tapped my shoulder
7 while grazing past me from behind in a
8 standard-size walkway."

9 Do you see that?

10 A. Yes.

11 Q. And is that just what you are
12 describing?

13 Did this Mike Russel walk past
14 you in a standard-size walkway and tap you on
15 your shoulder in addition to grazing past you?

16 A. Yes.

17 Q. And did he -- the grazing part,
18 did he brush up against you in some fashion or
19 did he nod and the only contact here was
20 tapping your shoulder?

21 A. I believe he brushed across my
22 -- it's hard to describe that without using
23 physics, but the surface, the surface of my
24 form, he brushed across that.

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1 Q. Okay. And he was going past
2 you in a hallway?

3 A. He wasn't going that far. I
4 was like right in front of his desk.

5 Q. Was he going past you in a
6 hallway?

7 A. He was going past me, and I was
8 in the hallway, yes.

9 Q. Okay. And when you say
10 standard-size walkway, what is that to you or
11 did you ever measure that? I'm just trying to
12 get a visual of what happened to you.

13 A. I would guess about from that
14 metal post there to about here.

15 Q. Okay. That would be about 6
16 feet?

17 A. Yep.

18 Q. And then you -- what follows is
19 a dialogue of sorts between and you Joren
20 where you send information and Joren writes
21 back, correct?

22 A. Yes.

23 Q. And basically you said if it
24 happens again I will address it with Russell,

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- - -

THE VIDEOGRAPHER: The time is now 2:41 p.m. We're going back on the video record. This will begin media unit number four.

MR. SCHAUER: Thank you.

BY MR. SCHAUER:

Q. Ms. Acey, I'd like for you to turn to page 17 of, please -- of Exhibit AA-47, your third brief in response to Motion to Dismiss. Okay?

A. Okay.

Q. And there is a paragraph 3, where you say -- this is July 7th, 2021 -- "excited utterance, present sense impression and recorded recollection from myself to my supervisor about negative and seemingly derogatory comments from my coworkers."

Do you see that?

A. Yes.

Q. All right. And is this the writing you say -- you mentioned earlier today that you made to Joren about your coworkers and what they're saying, the things they say?

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1 for."

2 What was his job?

3 A. I don't recall. I just know he
4 worked in inventory. It's in the evidence
5 somewhere, but, yeah.

6 Q. He wasn't in assembly; is that
7 right?

8 A. Right. He was not in assembly.

9 Q. He was not a technician or was
10 he?

11 A. I don't think he was.

12 Q. You don't know? Okay.

13 And then in "c" there it says,
14 "Frank: "This is Assata. She's a technician
15 with a" -- then you have it in bold -- Physics
16 degree. She's doing better things,
17 introducing a new hire with a smile."

18 Do you see that?

19 A. Yes.

20 Q. And did that bother you?

21 A. Yes. He was making a big deal
22 to a stranger about my role and my degree
23 being at odds -- as though they were at odds
24 with each other, like I was some commodity,

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1 and it made me feel uncomfortable. It's like
2 --

3 Q. Well, how do you interpret him
4 then following up with, "she'll be doing
5 better things" -- that's not complimentary or
6 do you consider that to be somehow belittling
7 or --

8 A. It made me uncomfortable. I
9 don't think Frank was trying to belittle me.

10 Q. Right.

11 A. I mean, it just made it clear
12 he thought what I was doing -- there was
13 something better, and it made me feel like he
14 thought negatively of what I was doing and
15 like he thought I was a commodity for having
16 that role with a degree.

17 Q. What's Frank's role?

18 A. He was -- what was Frank? He
19 was the manager of R & D. He oversaw Stan
20 Gallagher, R & D, engineering.

21 Q. On page 18, right above
22 paragraph 4, it appears that Joren responds to
23 you at 11:06:23, where he invites you to sit
24 down and discuss it with him.

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1 comparing, when I took my aspirins, and even
2 my teammates, former teammates, nobody had
3 been -- complained, remembered being
4 complained about by Diana for those small
5 things she complained about me.

6 Q. Well, she checked with your
7 boss; isn't that correct?

8 That's what she did; is that
9 right?

10 A. Yes.

11 Q. Okay. Does any of that show up
12 in your evaluation review? Do you recall
13 being dinged for missing meetings? No, you
14 didn't. You weren't, were you?

15 A. You know what I thought or I
16 recall. I'm sorry, Attorney Schauer, I don't
17 think it's appropriate --

18 Q. I'll strike the question. I'll
19 strike the question. It's getting long in the
20 day. Okay.

21 Okay. Let's go to paragraph 14
22 on page 22. Take a moment, if you would,
23 please, and kind of look through that.

24 Is this a paragraph where you

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1 address the concept that you felt you were
2 being accused of stealing time?

3 A. I believe so.

4 Q. And is it my understanding,
5 correct, that you appear to be 30 minutes --
6 short 30 minutes of a 40-hour workweek in a
7 particular week?

8 Is that correct?

9 A. Yes.

10 Q. Well, we can look at the entry
11 at 10:34:47, where you communicate with Joren
12 saying, "I talked to Judy again. She'd given
13 me the impression before that vacation
14 automatically prepopulates into gaps when it's
15 under 40 hours and that we're only supposed to
16 request vacation in four-hour increments."

17 Do you see that?

18 A. Yes.

19 Q. Okay. And so what did Judy
20 come to you and -- or it says Joren came to
21 you in the beginning and said Assata Acey,
22 39.5 hours last week.

23 Is that right? Do you see
24 that?

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1 A. Attorney Schauer, it is Acey.

2 Q. I'm sorry, Acey.

3 A. And, yeah, he messaged to me on
4 Teams while I was out and about. And I guess
5 according to this Judy came to me before I saw
6 his message.

7 Q. But this is the series of
8 messages that relate to your belief that you
9 were accused of stealing time by Ms. Talis?

10 A. Yes.

11 Q. If you go to the very bottom of
12 the page, 10:56:44, where it says, "direct
13 reply to message, 10:55:47," which is up
14 above.

15 "So possibly implying time,
16 quote, theft, but that's not what she's saying
17 you should do and that's not what you are
18 doing."

19 Right? Do you see that?

20 A. Yes.

21 Q. All right. And then you
22 respond, correct?

23 A. Yes.

24 Q. Oh, fifteen on page 23 involves

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1 you wanted to at least let Joren know where
2 you stood, your thoughts.

3 Is that fair?

4 A. Yes. I mean, it's generally
5 saying if they don't have that role, I'm okay
6 with not being there, but I needed them to
7 know what I was seeking.

8 Q. Okay. Let's go to page 28,
9 paragraph 26.

10 Is this a report by you on a
11 conversation with Judy around February 10 of
12 2022?

13 A. Yes.

14 Q. It says, "Judy has decided to
15 make everyone redo diversity training and
16 plans to teach mustache man how to not risk
17 company lawsuit. She may be reaching out to
18 you about Brian (I've explained that it's been
19 handled, etc., but she was clear she wanted
20 something easy to try)."

21 Do you see that?

22 A. Yes.

23 Q. And that's a result of the
24 conversation that you had with Judy Talis,

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1 correct?

2 A. Yes.

3 Q. Okay. You expressed concern
4 around, I guess, what -- Ms. Talis recommended
5 you might want to visit her gynecologist?

6 A. Her daughter's gynecologist.

7 Q. Her daughter's? Okay.

8 And did you somehow believe
9 that was an inappropriate suggestion on her
10 part?

11 A. Absolutely.

12 Q. And why was that?

13 A. It was uncomfortable. I didn't
14 want to see the same gynecologist of somebody
15 who would supervise me at work. It would be a
16 weird cross of private information.

17 Nor did I think I should be
18 exposed to her daughter's private information
19 as far as where she goes or what problems
20 she's had.

21 And I also did not think it was
22 Judy's place to ask me about like feminine
23 health things that didn't involve work. I
24 don't think feminine health things do involve

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1 work unless I brought them to her.

2 Q. Do you think that Ms. Talis
3 made that recommendation for the purpose of
4 making you uncomfortable?

5 A. No. I think she overstepped
6 her bounds.

7 Q. Do you think she was doing it
8 to somehow be of some assistance to you,
9 however misplaced her thinking might have been
10 in your mind?

11 A. No.

12 Q. You don't think she was trying
13 to be helpful?

14 A. No. She's the head of HR, and
15 a lot of women lie about whether they're
16 pregnant or not because of a belief that HR is
17 not trying to be helpful in pregnancy --

18 Q. Well, I'm not talking about
19 many women.

20 A. I know --

21 Q. I'm talking about Ms. Talis,
22 and I'm talking about you.

23 Do you believe that somehow she
24 was going to try and get information from you

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1 about you by the fact that you might use her
2 daughter's gynecologist? That's your thought
3 process in part?

4 A. No. I believe she was trying
5 to get information from me and asking if I was
6 pregnant.

7 Q. Okay. Did she ever ask if you
8 were pregnant?

9 A. She did.

10 Q. Okay. And when did that
11 happen?

12 A. The same time of the comment
13 about her daughter's gynecologist. I believe
14 it's disclosed in the same transcript.

15 Q. Is that -- do you believe that
16 she was somehow doing that because of your
17 race or gender?

18 A. Gender, yes. I don't think she
19 would ask a man if he was pregnant.

20 Q. I think you're probably right.
21 It says, as I read it here, "she barely
22 stopped herself from asking if I was pregnant
23 after the implicitly now obligatory
24 explanation of hormonal nausea."

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1 Do you see that?

2 A. Yes.

3 Q. What do you mean by she barely
4 stopped herself from asking if I was pregnant?

5 A. She got the words out before
6 she changed the sentence.

7 Q. So that's what you're referring
8 to as asking you if she [sic] was pregnant?

9 A. Yes.

10 Q. Okay. We're going to skip to
11 page 42.

12 Do you see -- look at paragraph
13 17 at the bottom of page 42.

14 A. Okay.

15 Q. April, 1, 2022. "Excited
16 utterance. Present sense impression to" Joren
17 "about Rosenberg's opposition to the team's
18 newly-purchase lift and inappropriate
19 statement."

20 Do you see that?

21 A. Yes.

22 Q. Okay. So let's go to page 43
23 at the top.

24 There's an entry next to

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1 11:26:32, correct?

2 A. Yes.

3 Q. "Rob" -- you're saying that Rob
4 said, quote, "brand new one, to make the bitch
5 happy," end quote.

6 Do you see that?

7 A. Yes.

8 Q. Then there's an asterisk, "says
9 something else (that I can't quite parse
10 without making up words)."

11 So what was Rob referring to,
12 if you know, when he said first, "the brand
13 new one"?

14 Is that the lift?

15 A. Yes.

16 Q. And do you know who he was
17 referring to when he said "to make the bitch
18 happy"?

19 A. Me.

20 Q. And he said this to you or in
21 front of you?

22 A. He said it in front of me.

23 Q. Okay. Did you say anything to
24 him?